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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

VIRGINIA BENTLEY SHANAHAN  
7500 Old Greensboro Rd.  
Tuscaloosa, AL 35405  
License No. 206150

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER**

**REVOCATION OF LICENSE**

**2006-010 LC**  
DOCKET No. \_\_\_\_\_

Enf. Case No. 1744

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-101 and 63-46b-3 and Utah Admin. Code R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

### **FINDINGS OF FACT**

1. Respondent, Virginia Bentley Shanahan, is a licensed non-resident insurance agent in the State of Utah, License No. 206150.
2. On or about June 16, 2005, Respondent submitted an application for renewal of her insurance agent's license accompanied with a personal check for the amount of the renewal fee.

3. The check for the payment of Respondent's renewal fees was returned unpaid, marked "insufficient funds", and all attempts at collection have failed.

Having entered his Findings of Fact, the Commissioner now enters his:

**CONCLUSION OF LAW**

1. In failing to pay the renewal fee by submitting a check without sufficient funds, Respondent failed to qualify for renewal of her license under Utah Code Annotated § 31A-23a-104, and is subject to revocation of said license under Utah Code Annotated § 31A-23a-111(5)(b)(i).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent's insurance agent's license is revoked forthwith.
2. Respondent shall immediately cease doing any insurance business or performing any acts for which an insurance license in the State of Utah.
3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

### NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

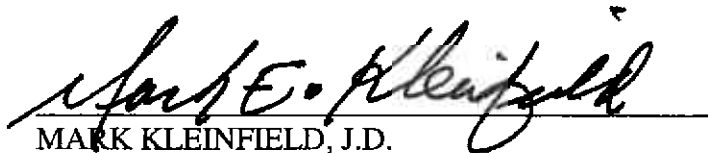
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

**Questions regarding this Adjudicative Proceeding should be directed to Tara Buehner, at the Utah Insurance Department (801) 538-3290.**

DATED THIS 8<sup>th</sup> day of February, 2006.

D. KENT MICHIE  
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

CERTIFICATE OF MAILING

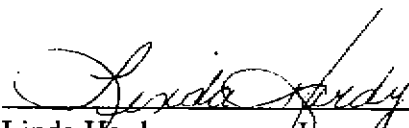
I do hereby certify that on this date I mailed, by regular, postage prepaid, a true and correct copy of the attached:

**NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND  
ORDER  
&  
REVOCATION OF LICENSE**

To the following:

**VIRGINIA BENTLEY SHANAHAN  
7500 OLD GREENSBORO ROAD  
TUSCALOOSA, AL 35405**

DATED this 8<sup>th</sup> day of February, 2006

  
Linda Hardy Insurance Technician  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901  
(801) 538-3800